

ASSIGNED

NO. 64133

APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office May 21, 1998

Returned to applicant for correction

Corrected application filed

Map filed May 21, 1998 under 26963

The applicant **Empire Farms**, hereby makes application for permission to change the **point of diversion, manner and place of use of a portion of water heretofore appropriated under Permit 26963, Certificate 8432**

1. The source of water is **Underground**
2. The amount of water to be changed **0.1606 cfs**
3. The water to be used for **Quasi-Municipal & Domestic**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25, T.30 N., R.22 E., M.D.B & M., or at a point from which the N $\frac{1}{4}$ corner of said Section 25 bears N. 42° 4' 51" E., a distance of 1807.2 feet.**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T.30 N., R.22 E., M.D.B. & M., or at a point from which the E $\frac{1}{4}$ corner of said Section 1 bears N.87° 54'E., a distance of 1370.0 feet.**
7. Proposed place of use **E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 25, T.30N., R.22 E., M.D.B. & M.**
8. Existing place of use **Please refer to Attachment "A"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **A drilled and cased well, equipped with a motor, pump, 250,000 gallon tank and pipeline distribution system.**
12. Estimated cost of works **\$100,000.00**
13. Estimated time required to construct works **Three (3) years**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**
15. Remarks: **Please refer to Attachment "B"**

By **George M. Bilyeu**
s/George M. Bilyeu
P.O. Box 70458
Reno, Nevada 89570-0458

Compared dl/jr dl/cms

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 26963, Certificate 8432 is issued subject to the terms and conditions imposed in said Permit 26963, Certificate 8432 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 64133 and 64134 shall not exceed 86.0 acre-feet annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1606 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 6, 2002

Proof of completion of work shall be filed before:

June 6, 2002

Application of water to beneficial use shall be filed on or before:

May 6, 2009

Proof of the application of water to beneficial use shall be filed on or before:

June 6, 2009

Map in support of proof of beneficial use shall be filed on or before:

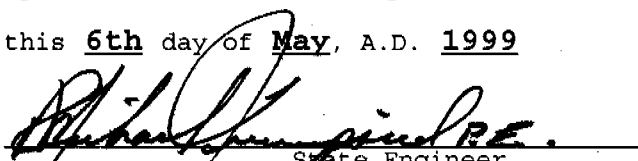
June 6, 2009

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 6th day of May, A.D. 1999


State Engineer

Completion of work filed JUL 7 2000

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Attachment "B"
Question 15:

This application is one of two applications being filed to provide a quasi-municipal water supply for existing and future staff housing at Empire Farms in the San Emidio Desert Groundwater Basin. Currently there are 10 homes, five trailers and a bunkhouse that will be served by these applications. An additional 63 houses are to be constructed within the proposed place of use.

Water will be developed from two existing domestic wells. Well #3 will be the primary well and Well #7 will be the backup well. Water for service and fire protection will be stored in a 250,000-gallon steel tank to be constructed within the proposed place of use.

Water demand for the current and proposed homes is calculated as follows:

10 Existing homes @ 1000 gpd = 11.20 A/F
63 additional homes @ 1000 gpd = 70.56 A/F
5 trailers @ 500 gpd = 2.8 A/F

1 bunkhouse:

80 persons @ 40 gpd x 120 days = 1.17 A/F
10 persons @ 40 gpd = 0.30 A/F

Total: 86 Acre Feet required.

The demand calculation is based on worse case usage. Applicant reserves the right to revert back to irrigation use, any water not required for beneficial use under this application upon final build-out and determination of usage. The total combined duty of this application and application _____ shall not exceed 86 acre-feet annually.

ATTACHMENT "A"
QUESTION 8 - EXISTING PLACE OF USE:

THE EXISTING PLACE OF USE OF PERMIT 26963, CERTIFICATE 8432 IS AS FOLLOWS:

40 ACRES IN LOT 7, SECTION 1, T.30N., R.22E., M.D.B. & M.
40 ACRES IN LOT 8, SECTION 1, T.30N., R.22E., M.D.B. & M.
40 ACRES IN LOT 9, SECTION 1, T.30N., R.22E., M.D.B. & M.
40 ACRES IN LOT 10, SECTION 1, T.30N., R.22E., M.D.B. & M.
160 ACRES IN THE SE $\frac{1}{4}$, SECTION 1, T.30N., R.22E., M.D.B. & M.

THERE ARE 49 ACRES WITHIN THE S $\frac{1}{2}$ SE $\frac{1}{4}$ OF SAID SECTION 1 REMAINING UNDER THIS PERMIT.

A TOTAL OF 21.5 ACRES ARE BEING REMOVED FROM IRRIGATION WITHIN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 1 UNDER THIS APPLICATION AND APPLICATION 64134. UPON ISSUANCE OF THIS APPLICATION AND APPLICATION 64134, THERE WILL BE 27.5 ACRES REMAINING UNDER THIS PERMIT.

PLEASE REFER TO THE MAPS ON FILE UNDER PERMITS 26963, 50552, 52884 AND 60003-T TO ILLUSTRATE THE EXISTING PLACE OF USE AND POINT OF DIVERSION.

